

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

PEDRO TERREFORTE,

PLAINTIFF,

v.

CHARLES ERICKSON, ET AL.,

DEFENDANTS.

CIVIL ACTION

No. 05-4041

ORDER

January 3, 2007

AND NOW, upon review of the Report and Recommendation of United States Magistrate Judge Arnold C. Rapoport, and consideration of habeas petitioner Pedro Terreforte's objections, it is hereby ORDERED that:

1. The Report and Recommendation is APPROVED and ADOPTED.
2. Pedro Terreforte's petition for a writ of habeas corpus is DENIED.
3. A Certificate of Appealability is NOT GRANTED.

BY THE COURT:

/s/ Louis H. Pollak

Pollak, J.